

### **REMARKS**

Claims 1-21, 31-40, 50, and 53-63 are pending in this application. Claims 1, 12, 31, 37, 50 and 53 are independent claims. New claims 58-63 are presented for consideration by the Examiner. In light of the amendments and remarks included herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 1, 7-12, 15-21, 31-32, 37-40, 50, 53, and 55-57 under 35 U.S.C. §102(e) as being anticipated by *Hecht* (USP 6,594,406); rejected claims 4-6, 14, and 54 under 35 U.S.C. §103(a) as being unpatentable over *Hecht*; rejected claims 2 and 33 under 35 U.S.C. §103(a) as being unpatentable over *Hecht* in view of *Shiigi* (USP 6,304,898); and rejected claims 3, 13, 34-36 and rejected under 35 U.S.C. §103(a) as being unpatentable over *Hecht* in view of *Morgan* (USP 5,428,805). Applicants respectfully traverse these rejections.

By this amendment, Applicants have amended claims 1, 12, 31, 37, 50, 53 and 57 to more appropriately recite the present invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejections, but merely to timely advance prosecution of the present application.

### **CLAIM REJECTIONS – 35 U.S.C. §102**

By this amendment, Applicants have amended claim 1 to recites, *inter alia*, a global information management system comprising a position-coding pattern which codes absolute coordinates of a total set of unique positions, wherein **the position coding pattern codes an area of unique, continuous positions in two dimensions and said area is incapable of being encoded in its entirety by the position coding pattern on any single base.**

In contrast, the n-dimensional space of *Hecht* referred to by the Examiner with respect to Fig. 15 is made up of n identical two-dimensional areas which are distinguished based upon a label embedded in the pattern. *Hecht* further discloses the functionality of address spaces of the

foregoing type can be extended by cyclically interlacing (or interleaving) encodings of another parallel propagating maximal length bit sequence  $L$  with the encoding of the sequence or sequences, such as  $U$  and  $V$ , which parameterize the address space 61 by embedding a machine readable distributed label in it (col. 8, lines 14-22). At col. 8, lines 39-47, *Hecht* also discloses that one of the advantages of including a distributed labeling parameter in address spaces of the foregoing type is that the labeling provides a hierarchical mechanism for distinguishing between address spaces that include otherwise identical address parameters. In col. 9, lines 33-42, *Hecht* discloses a two-dimensional address space in contrast to a "more fully parameterized address space", i.e. the  $n$ -dimensional address space  $AL_1...AL_n$ . Further, as previously argued and discussed with the Examiner, the largest area *Hecht* discloses may be approximately 64 feet x 64 feet.

Based on these teachings, there is a clear distinction between the address space as recited in claim 1 and the address space disclosed in *Hecht*. Applicants respectfully submit that *Hecht* fails to teach or suggest a position-coding pattern which codes absolute coordinates of a total set of unique positions, wherein the position coding pattern codes an area of unique, continuous positions in two dimensions and said area is incapable of being encoded in its entirety by the position coding pattern on any single base, as recited in claim 1, as amended. As such, it is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 2-11 and 55 are allowable for the reasons set forth above with regard to claim 1 at least based upon their dependency on claim 1. It is further respectfully submitted that claims 12, 31, 37, 50, and 53 include elements similar to those discussed above with regard to claim 1 and thus these claims, together with claims dependent thereon are allowable for the reasons set forth above with regard to claim 1.

**CLAIM REJECTIONS – 35 U.S.C. §103(a) – HECHT**

The Examiner rejects claims 4-6, 14, and 54 under 35 U.S.C. §103(a) as being unpatentable over *Hecht*. In support of his rejection of the claims, the Examiner admits that *Hecht* fails to teach or suggest all of the claim elements. However, the Examiner fails to provide any supplemental, properly combinable, references that cure the deficiencies of the teachings of *Hecht*.

In order to sustain a rejection under 35 U.S.C. § 103(a), it is respectfully submitted that the Examiner must meet his burden to establish a *prima facie* case. “To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations.” *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

As the Examiner has failed to provide references that teach or suggest all of the claim elements, the Examiner has failed to establish *prima facie* obviousness. It is respectfully requested that the outstanding rejection be withdrawn.

Should the Examiner maintain his rejection of these claims, Applicants respectfully request the Examiner provide properly combinable references that cure the deficiencies of the teachings of *Hecht*.

**CONCLUSION**

In view of the foregoing, Applicants respectfully submit that the application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact Catherine M. Voisinet (Reg. No. 52,327) at (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment from or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17; particularly, the extension of time fees.

Dated: December 15, 2006

Respectfully submitted,

#40,439

By

Michael K. Mutter

Registration No.: 29,680

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicants

